

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Civil Action No. 3:22-CV-7**

SANDRA CAMPBELL

Plaintiff

v.

HARTFORD LIFE AND ACCIDENT
INSURANCE COMPANY

Defendant

**CERTIFICATION AND REPORT OF
FED. R. CIV. P 26(f) CONFERENCE
AND DISCOVERY PLAN**

1. Certification of Conference. Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on **February 14, 2022** by telephone and follow up communications through **February 18, 2022** between Charles McBrayer Sasser, attorney for Plaintiff, and Debbie W. Harden, attorney for Defendant.

2. Pre-Discovery Disclosures. The information required by Fed. R. Civ. P. 26(a)(1) will be exchanged by **March 25, 2022**.

3. Discovery Plan. The parties jointly propose to the Court the following discovery plan:

- a) All discovery shall be commenced in time to be completed by **January 23, 2023**.
- b) Fact discovery shall be commenced in time to be completed by **October 14, 2022**.
- c) **Discovery Limits:**¹
 - 1) Maximum of **20** interrogatories by each party to any other party.
 - 2) Maximum of **20** requests for production by each party to any other party.
 - 3) Maximum of **20** requests for admission by each party to any other party (exclusive of requests for admission that only address the

¹ Each party reserves the right to seek enlargement of any of the discovery limitations set forth in this paragraph 3(b) in the event an enlargement becomes appropriate, though at this time, they believe these proposed limits to suffice.

authenticity of a document, including information such as author, recipient, and date sent or authored).

- 4) Maximum of 6 non-expert depositions per party.
- 5) Reports from retained experts under Rule 26(a)(2) will be due:
 - a) From Plaintiff by **October 28, 2022**.
 - b) From Defendant by **December 20, 2022**.
- 6) Supplementations under Rule 26(e) shall be due by **January 23, 2023**.

4. **Other Items.**

- a) **Conference Before Entry of Scheduling Order:** The parties do not request a conference with the Court before entry of the scheduling order.
- b) **Motions Deadlines:**
 - 1) The deadline for motions to join additional parties or otherwise amend the pleadings shall be **April 25, 2022**.
 - 2) All potentially dispositive motions should be filed by **February 23, 2023**.
- c) **Settlement:** Based on preliminary discussions, settlement in this case **cannot yet be adequately evaluated**. The prospect of settlement may be enhanced by use of the following ADR procedure: **Mediated Settlement Conference**. The parties agree that the above selected ADR procedure would be most useful if conducted: **After the voluntary exchange of limited information, the parties have discussed and may engage in early mediation. In any event, mediation will be completed no later than July 31, 2022.**
- d) **Witness & Exhibit Lists:** Final lists of witnesses and exhibits under Rule 26(a)(3) are due from Plaintiff no later than **28 days before trial** and from Defendant no later than **21 days before trial**.
- e) **Trial Length:** If the case is ultimately tried, trial is expected to take approximately **5-7 days**. The case will be tried with a jury.
- f) **Magistrate Judge Jurisdiction:** The parties have discussed the issue of consent to the jurisdiction of a U.S. magistrate judge under 28 U.S.C. § 636(c), or appointment of a master, and the parties **do not unanimously consent** to such.

5. Please identify any other matters regarding discovery or case management that may require the Court's attention:

- a) **Discovery Extensions:** The parties may agree informally to extend the time for responding to discovery requests, without having to file a motion with the Court, provided that the parties may not, without Court approval, extend the time for completing discovery beyond the date set for completion of discovery.
- b) **E-mail Service:** Pursuant to Rule 5(b)(2)(E), the parties hereby consent to service by electronic means (e-mail transmission) to the e-mail addresses the parties provide for same.
- c) **Protective Order:** The parties agree that this case may involve subject matter consisting of confidential and sensitive medical information and proprietary business information and that a protective order may be required to protect such information. Should the need arise, the parties agree to work in good faith on developing a proposed protective order (or separate orders) for the Court's consideration.

Respectfully submitted, this the 25th day of February, 2022.

WOMBLE BOND DICKINSON (US) LLP <u>/s/Debbie W. Harden</u> Debbie W. Harden, NCSB 10576 One Wells Fargo Center, Suite 3500 301 South College Street Charlotte, North Carolina 28202-6037 Telephone: (704) 331-4943 Facsimile: (704) 338-7813 Email: Debbie.Harden@wbd-us.com <i>Attorney for Hartford Life and Accident Insurance Company</i>	<u>/s/Charles McB. Sasser</u> Charles McB. Sasser, NCSB 10027 The Sasser Law Firm, P.A. 1011 East Morehead Street, Suite 350 Charlotte, NC 28204 Phone: (704) 342-4200 Fax: (704) 342-0798 Email: msasser@sasserlawoffice.com <i>Attorney for Plaintiff</i>
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CERTIFICATE OF SERVICE

I hereby certify that on February 25, 2022, the foregoing **CERTIFICATION AND REPORT OF FED. R. CIV. P 26(f) CONFERENCE AND DISCOVERY PLAN** was filed with the Clerk of Court using the CM/ECF system, which will automatically send notification of such filing and serve counsel for all parties.

s/Charles McB. Sasser

Charles McB. Sasser, N.C. Bar No. 10027

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